



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Conduct a Public Hearing to consider the introduction of an ordinance amending Chapter 13.20, "Electrical Service," Section 13.20.210 Schedule EM (Mobile Home Park Service) to become effective November 1, 2007 (EUD)

**MEETING DATE:** September 5, 2007

**PREPARED BY:** Electric Utility Director

**RECOMMENDED ACTION:** Conduct a Public Hearing to consider the introduction of an ordinance amending Chapter 13.20, "Electrical Service," Section 13.20.210 Schedule EM (Mobile Home Park Service) to become effective November 1, 2007.

**BACKGROUND INFORMATION:** At its meeting of June 6, 2007, the City Council adopted Ordinance No. 1798 amending Chapter 13.20, "Electrical Service", by repealing and reenacting Section 13.20.210, Schedule EM, relating to mobile home park service rates. This rate became effective on July 6, 2007.

Following the June 6, 2007 meeting, the mobile home park owners contacted staff to request clarification of some of the conditions in the rate schedule. Their items of concern included:

- Clarification that the monthly Meter Discount is to be based on a 365-day year as opposed to a 30-day month.
- Clarification of the discounts allowed to fixed income, medical and SHARE customers.
- Clarification that the tenants of the mobile home parks are to be billed using the same rate schedule (tiers) as that used to bill the park owner.

The meter discount is now more clearly described as one twelfth of a discount amount based on a 365-day year. Required notification to the City of the number of occupied pads is now by the 5<sup>th</sup> day of each month; this should be simpler than the old requirement of "within 15 days".

The discount programs are now all included in Special Conditions (d) (e) and (f) of the rate schedule. No changes have been made to the discount programs, they are now more concise and all within Special Conditions.

Special Condition (g) describes the applicable rate schedules for tenants and makes it clear that tenants are to be billed using all applicable tiers of the Schedule EM Rates based on their individual kWh usage.

The proposed EM Schedule is attached.

**FISCAL IMPACT:** None.

APPROVED: \_\_\_\_\_  
Blair King, City Manager

**FUNDING:** Not Applicable.

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George F. Morrow  
Electric Utility Director

Prepared By: Sondra Huff, Senior Rate Analyst

GFM/SH/lst

Attachment



# CITY OF LODI

## ELECTRIC UTILITY DEPARTMENT

### SCHEDULE EM

#### MOBILE HOME PARK SERVICE

#### APPLICABILITY:

This schedule is applicable to service supplied to mobile home parks through one meter and sub-metered to all individual mobile home units.

#### RATES:

Minimum Charge.....\$5.00

#### Energy Charge is by Tier of kWh usage:

	<u><b>Tier 1</b></u> (Baseline)	<u><b>Tier 2</b></u> (101-130% of baseline)	<u><b>Tier 3</b></u> 131-200% of baseline)	<u><b>Tier 4</b></u> (201-300% of baseline)	<u><b>Tier 5</b></u> (Over 300% of baseline)
\$/kWh	\$0.1420	\$0.1450	\$0.2235	\$0.3180	\$0.3300

#### Summer (May through October) Energy Tiers

	<u><b>Tier 1</b></u> (Baseline)	<u><b>Tier 2</b></u> (101-130% of baseline)	<u><b>Tier 3</b></u> 131-200% of baseline)	<u><b>Tier 4</b></u> (201-300% of baseline)	<u><b>Tier 5</b></u> (Over 300% of baseline)
Beginning Tier kWh/month	0	482	626	963	>1,443
Ending Tier kWh/month	481	625	962	1,443	

#### Winter (November through April) Energy Tiers

	<u><b>Tier 1</b></u> (Baseline)	<u><b>Tier 2</b></u> (101-130% of baseline)	<u><b>Tier 3</b></u> 131-200% of baseline)	<u><b>Tier 4</b></u> (201-300% of baseline)	<u><b>Tier 5</b></u> (Over 300% of baseline)
Beginning Tier kWh/month	0	392	509	783	>1,173
Ending Tier kWh/month	391	508	782	1,173	

#### MASTER METER / SUB-METER DISCOUNT:

For each occupied mobile home park unit, the park owner will receive a discount in the same amount as allowed to PG&E by the California Public Utilities Commission for the nearest geographic area, expressed as one twelfth of a discount amount based on a 365 day year.

Effective November 1, 2007  
Ordinance No. 1798

**ENERGY COST ADJUSTMENT (ECA):**

An energy cost adjustment shall be included in each bill for service as provided in Section 13.20.175 Schedule ECA – Energy Cost Adjustment.

**BILLING CYCLE CHARGE (MONTHLY BILL):**

The Billing Cycle Charge is the higher of the Minimum Charge or the sum of the Energy Charge, the Discount and the ECA.

**SPECIAL CONDITIONS:**

- (a) This rate is available only for mobile home park master metering in service prior to March 31, 1989.
- (b) It is the responsibility of the master-metered customer to notify the City Finance Department by the 5<sup>th</sup> day of each month of any change in the number of occupied mobile home park units wired for service on the first day of that month.
- (c) Miscellaneous electric loads such as general lighting, laundry rooms, general maintenance, and other similar use incidental to the operation of the premises as a multi-family accommodation will be considered domestic use.
- (d) For the master-metered Customer to qualify for Single Household Alternative Rate for Energy (SHARE) and/or the Residential Medical Discount, the qualified sub-metered tenants of the master-metered Customer must submit the applicable application(s), including the tenant's unit number, to the City of Lodi Finance Department. The City of Lodi Finance Department will notify the master-metered Customer in writing of the tenant's certification for these programs.
- (e) For tenants who are on fixed incomes below \$45,000 annually and who are over 62 years of age, and do not qualify for any other discount, a discount of 5% of the qualifying tenant's electric bill (Fixed Income Discount) shall be provided to the master-metered Customer. Procedures as to qualification will be established by the Electric Utility Department.
- (f) The master-metered customer, not the City of Lodi, is responsible for extending the SHARE, Residential Medical Discount, and Fixed Income Discount to tenants certified to receive them. If verification establishes that the SHARE, Residential Medical Discount, or Fixed Income Discount tenant is ineligible, the tenant will be removed from the master-metered Customer's qualified tenants and the City of Lodi may render corrective billings.
- (g) The master-metered Customer shall not bill any sub-metered tenant more than that tenant would be billed if that tenant were an individual customer of the City of Lodi. For a qualifying SHARE tenant, the master-metered Customer shall bill the qualifying tenant at the applicable rates equivalent to Schedule ED, Residential SHARE Program Service. For a tenant qualifying for a Residential Medical Discount, the master-metered Customer shall bill the qualifying tenant in accordance with the provisions of Schedule MR, Residential Medical Discount. For tenants qualifying for a Fixed Income Discount, the master-metered Customer shall bill the qualifying tenant in accordance with the provisions of paragraph (e) herein. A tenant not qualified for any of the above discounts shall be billed using the same rate schedule that the City bills the park owner (e.g., in accordance with the section titled "Rates" herein), excepting the Master Meter / Sub-Meter Discount shall not be provided to tenants.
- (h) The master-meter/sub-meter rate discount provided herein prohibits further recovery by mobile home park owners for the costs of owning, operating and maintaining their electric sub-metered system.

## SCHEDULE EM

### MOBILE HOME PARK SERVICE

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- (i) Upon request, mobile home park owners must submit copies of their tenant billings to the City of Lodi for auditing to ensure compliance with this rate tariff, provided however that such requests shall not be made more often than semi-annually.

ORDINANCE NO.

AN ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING CHAPTER 13.20, "ELECTRICAL SERVICE,"  
BY REPEALING AND REENACTING SECTION 13.20.210,  
SCHEDULE EM, RELATING TO MOBILE HOME PARK  
SERVICE RATES

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 13.20.210 is hereby repealed and reenacted to read as follows:

**APPLICABILITY:**

This schedule is applicable to service supplied to mobile home parks through one meter and sub-metered to all individual mobile home units.

**RATES:**

Minimum Charge .....\$5.00

**Energy Charge is by Tier of kWh usage:**

	<b><u>Tier 1</u></b> (Baseline)	<b><u>Tier 2</u></b> (101-130% of baseline)	<b><u>Tier 3</u></b> 131-200% of baseline)	<b><u>Tier 4</u></b> (201-300% of baseline)	<b><u>Tier 5</u></b> (Over 300% of baseline)
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**ENERGY COST ADJUSTMENT (ECA):**

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- (f) The master-metered customer, not the City of Lodi, is responsible for extending the SHARE, Residential Medical Discount, and Fixed Income Discount to tenants certified to receive them. If verification establishes that the SHARE, Residential Medical Discount, or Fixed Income Discount tenant is ineligible, the tenant will be removed from the master-metered Customer's qualified tenants and the City of Lodi may render corrective billings.
- (g) The master-metered Customer shall not bill any sub-metered tenant more than that tenant would be billed if that tenant were an individual customer of the City of Lodi. For a qualifying SHARE tenant, the master-metered Customer shall bill the qualifying tenant at the applicable rates equivalent to Schedule ED, Residential SHARE Program Service. For a tenant qualifying for a Residential Medical Discount, the master-metered Customer shall bill the qualifying tenant in accordance with the provisions of Schedule MR, Residential Medical Discount. For tenants qualifying for a Fixed Income Discount, the master-metered Customer shall bill the qualifying tenant in accordance with the provisions of paragraph (e) herein. A tenant not qualified for any of the above discounts shall be billed using the same rate schedule that the City bills the park owner (e.g., in accordance with the section titled "Rates" herein), excepting the Master Meter / Sub-Meter Discount shall not be provided to tenants.

- (h) The master-meter/sub-meter rate discount provided herein prohibits further recovery by mobile home park owners for the costs of owning, operating and maintaining their electric sub-metered system.
- (i) Upon request, mobile home park owners must submit copies of their tenant billings to the City of Lodi for auditing to ensure compliance with this rate tariff, provided however that such requests shall not be made more often than semi-annually.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

SECTION 6. This amended Schedule referenced above shall be effective on applicable electric utility billings prepared by the City of Lodi on or after November 1, 2007, or the first date allowable under State law.

Approved this \_\_\_\_\_, 2007

\_\_\_\_\_  
BOB JOHNSON  
MAYOR

ATTEST:

RANDI JOHL  
City Clerk

State of California  
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was



introduced at a regular meeting of the City Council of the City of Lodi held September 5, 2007, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. \_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL  
City Clerk

Approved to Form:

D. STEPHEN SCHWABAUER  
City Attorney



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** PUBLIC HEARING TO CONSIDER ORDINANCE AMENDING §13.20.210,  
SCHEDULE EM (MOBILE HOME PARK SERVICE), TO BECOME  
EFFECTIVE NOVEMBER 1, 2007

**PUBLISH DATE:** SATURDAY, AUGUST 18, 2007

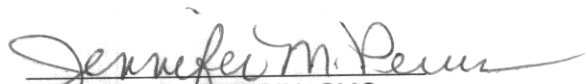
**LEGAL AD**

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** RANDI JOHL, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, AUGUST 16, 2007

**ORDERED BY:** RANDI JOHL  
CITY CLERK

  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

LNS Faxed to the Sentinel at 369-1084 at 9:35am (time) on 8/17/07 (date) 2 (pages)  
Phoned to confirm receipt of all pages at \_\_\_\_\_ (time) \_\_\_\_\_ JMP \_\_\_\_\_ DRC \_\_\_\_\_ (initials)



## **DECLARATION OF POSTING**

### **PUBLIC HEARING NOTICE TO CONSIDER ORDINANCE AMENDING §13.20.210, SCHEDULE EM (MOBILE HOME PARK SERVICE), TO BECOME EFFECTIVE NOVEMBER 1, 2007**

On Friday, August 17, 2007, in the City of Lodi, San Joaquin County, California, a Public Hearing Notice to consider ordinance amending §13.20.210, Schedule EM (Mobile Home Park Service), to become effective November 1, 2007 (attached and marked as Exhibit A), was posted at the following locations:


Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 17, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: September 5, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Wednesday, September 5, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Introduction of an ordinance amending Chapter 13.20, "Electrical Service," by amending §13.20.210, Schedule EM (Mobile Home Park Service), to become effective November 1, 2007

Information regarding this item may be obtained in the Electric Utility Department, 1331 South Ham Lane, Lodi, (209) 333-6762. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2<sup>nd</sup> Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl  
City Clerk

**Dated:** August 15, 2007

Approved as to form:

D. Stephen Schwabauer  
City Attorney